

## LOCAL AND GENERAL.

His Majesty has returned from Hawaii.

The Australia brought forty-four bags of mail for the Postoffice.

The Pacific Hardware Co. offer Hawaiian lime at \$2.50 per barrel.

The mango season is approaching and the small boy, he feeble good.

Look over the list of uncalled for letters in another column, there may be one for you.

Mr. Goo Kim has sold all his right, title and interest in his present business to Goo Kim & Co.

Mrs. H. Moller publishes a card of thanks elsewhere, to residents of Kealia and Kilauea, Kauai.

Clement's Tonic is a splendid invigorating and strengthening medicine. Hollister & Co. have it for sale.

Capt. W. Blum of the schooner W. S. Bowne, now lying at Mahakona, came down to Honolulu on the Kinau.

Mr. Fred. Harrison has been awarded the contract for erecting a ten-foot fence around the new baseball grounds.

H. B. M. S. Champion minstrel troupe will give an entertainment at the opera house, May 24th, Queen Victoria's birthday anniversary.

Mrs. Joseph D. Gilman gave a bathing party and dance at Oneonta, Waikiki, last evening. A most pleasant evening was spent by a number of invited guests.

The schooner Olga leaves for San Francisco about May 7th, and has superior accommodations for passengers. Messrs. Theo. H. Davies & Co. are the agents.

There was a good many people at the band concert at Emma Square last evening. The boys sang Little Annie Rooney, and were loudly applauded for their efforts, in fact they had to repeat it.

Messrs. C. Brewer & Co. received a large variety of vehicles on the J. D. Brewer, which are fully specified in another column. Call and inspect them, there may be something you are looking for.

The Postoffice dispatched all the foreign letters and papers for Maui and Hawaii by the Kinau. The latter steamer was held back two hours. The people on these islands will appreciate getting their mail on time.

The appointments of Hon. Richard Frederick Bickerton as Second Associate Justice of the Supreme Court, and Hon. Sanford Ballard Dole as Third Associate, are announced in our "By Authority" column.

Two six-oared crews from the Healan and Myrtle boat clubs were out in the harbor on Tuesday and saluted Mr. Meier and his bride who were on the Mikahala. The Healan crew accompanied the steamer to the lighthouse.

Mr. N. S. Sachs, of the Popular Millinery House, has received, per steamer Australia, a stock of new goods, including new summer dress goods, fine millinery and latest style hats and bonnets. These will be opened in a few days.

Mr. S. M. Sayford, the evangelist, will arrive from the Coast on the Mariposa, due May 9th, and on the following day will commence a series of revival services in the Y. M. C. A. hall. Arrangements will be completed on his arrival.

J. R. Mills, T. G. Steele, Blabon and Watson, who are implicated in the Honolulu murder case, were taken to Hilo Friday on the Kinau. The case will be the first one tried at the term. Viscount Torie the Japanese acting Counsel, will watch the proceedings.

A photograph was shown us on Friday of Messrs. P. C. Jones, Wm. P. Jones and G. B. Jones, three brothers, taken together, and who are dressed in the latest Boston style. After being photographed the three gentlemen were weighed, aggregating no less than 727 pounds.

The captain and officers of the U. S. S. Nipsic will be "On Board" alternate Thursdays, commencing today from 2 to 5 p. m. Dancing. Invitations for these receptions were mailed several days ago. Boats leave Brewer's wharf from 2 to 3:30, and leave the ship from 5 to 5:30 p. m.

Tuesday morning, a cat in the store of the Pacific Hardware Co. was noticed to have been badly scratched. Soon after a mongoose was seen in the yard and it was then evident that the two had come in contact with each other. A "Little Giant Trap" was set, and an hour later the mongoose was caught. It is said that there are several of these animals about town, and they may become numerous enough to be a nuisance.

Mr. Edgar Basemann has been elected City Treasurer of Kalamazoo, Michigan, defeating a man named Hays who was considered invincible. Mr. Basemann is a son of Louis Basemann, an honorable and upright citizen of Kalamazoo for thirty-three years, and a brother of Mr. A. H. Basemann, bookbinder of this city. A Kalamazoo paper says that the Republican party has honored itself by electing such a popular young man, one who bears an unblemished character.

## LOCAL AND GENERAL.

Have you seen the little red lion in Goldberg's store? It is there.

There was no baseball game on Saturday owing to the inclement weather.

Mr. Young Nap, corner Bethel and King streets, has fine cigars and cool drinks for sale.

Hon. Henry Waterhouse will accept our best thanks for late San Francisco papers.

Communication by telephone can now be had between the Volcano House and Naalehu.

Mr. A. L. Smith will not be ready to open his new brick store until Thursday or Friday.

The Postoffice dispatched on the R. M. S. Zealandia 7,801 letters and 1,378 packages of papers.

There was a most enjoyable party at the residence of Hon. John A. Cummins, Friday evening.

The U. S. S. Alert is to be recommissioned, and Capt. Coughlan, late of the Mohican, may command her.

The Anglican Church Chronicle for May 3d, is an exceedingly newsy number. The Chronicle is in able hands.

The number of deaths during the month of April was 73, the highest by a long way for the same month in several years.

Annie Laurie makes rather a poor display of her trip to Honolulu and the leper settlement in the San Francisco Examiner.

Navigating Lieutenant G. A. C. Webb, late of H. B. M. S. Comorant, has been promoted to the rank of Staff-Commander in the fleet.

Mr. Edw. A. Keil, purser of the Australia, has the thanks of the ADVERTISER, for full files of late San Francisco papers and other favors.

The Board of Health publish a regulation in our "By Authority" column with regard to the roads or trails leading to the leper settlement.

There was a string band of five pieces on the Zealandia, made up from among the passengers. Several selections were played as the steamer was being docked.

The Yamashiro Maru is due from Yokohama about the 20th with another batch of Japanese immigrants. She is announced to leave here for Yokohama on May 24th.

The services at Central Union church on Sunday were especially for children. Dr. Beckwith addressed them in the morning and several speakers in the evening.

John Williams, son of the late Judge Williams of Ewa, died Saturday at Panoa. His remains were taken Sunday to Ewa for interment alongside his father.

On Saturday afternoon a Portuguese boy and two horses were nearly drowned while crossing the Ewa stream on the Government road. They were saved by natives.

Messrs. Mahoe and Luteria who returned on the Morning Star addressed a large congregation at the Kaunakapili Church Sunday evening.

The male members of the second congregation of St. Andrew's Cathedral are requested to meet at the Sunday school room Wednesday evening at 8 o'clock to elect churchwardens.

Last Friday evening a very pleasant dancing party was given at the residence of Mr. John H. Paty, in honor of his niece, Miss Caverly, who leaves for the Coast on the Australia.

On the last trip of the brigantine Lurline from Hilo to San Francisco, on April 14th, the cabin boy, John Breckinridge, was instantly killed by a heavy sea throwing him heavily to the deck.

The Rev. J. A. Cruzan has received a call from the First Congregational Church of Sioux Falls, South Dakota. The Rev. George Wallace formerly of Honolulu, is rector of the Cathedral in that city.

H. B. M. S. Acorn will sail from Esquimaux, May 10th, for Honolulu, to relieve the Champion. The latter vessel will leave for Esquimaux about the first week in June and await the arrival of the flagship War-spite.

The large double-track scow built for the O. R. & L. Co. to transport fruit and produce direct from train to steamer, was successfully launched from the ship-yard of the builder, Mr. J. A. Dower, near the Fish Market, on Saturday afternoon.

Messrs. Hyman Bros. of Queen street announce in another column a large credit sale of dry goods, clothing, boots and shoes, to which the attention of the trade and others is solicited. Sale will take place at Morgan's rooms, May 13th, 14th and 15th.

The many friends of Mr. and Mrs. C. Hedemann will sympathize with them in the loss of their only daughter, Mary, aged 6 years, who died on Saturday and was buried on Sunday afternoon. One week ago Sunday she was in her usual place at the Central Union Sunday school, and her classmates attended her funeral.

## FOURTH ANNUAL MEETING

Of the Liliuokalani Educational Society Held at Washington Place.

The fourth annual meeting of the first division of the Liliuokalani Educational Society was held Thursday afternoon at the residence of H. R. H. Princess Liliuokalani, Washington Place. It was presided over by the Princess who is President.

The report of the secretary, Mrs. J. H. Brown, was read and showed the progress made during the year. Very satisfactory reports had been received of the three little girls being educated by the society. One is at East Maui seminary the other two at Kawaihau.

Miss Louisa Brickwood the treasurer reported as follows:

RECEIPTS.  
Dues.....\$ 64 50  
Dividend Ice Stock..... 20 00  
Donation, Mrs. Jones..... 5 00  
Cash on hand May 15, 1889..... 189 10  
\$278 60

EXPENDITURES.  
Tuition of three little girls.....\$150 00  
Postal Order..... 55  
Stationery..... 2 05  
Printing..... 4 25  
\$156 85  
Balance on hand..... 121 75

The officers were all re-elected for the ensuing year, and are as follows: President, H. R. H. Princess Liliuokalani; Vice-President, Mrs. H. R. Macfarlane; Secretary, Mrs. J. H. Brown; Treasurer, Miss Louisa Brickwood; Directresses, Mrs. A. Rosa, Mrs. W. E. Foster, Mrs. Malcolm Brown, Mrs. Afong, Mrs. A. Fernandez, Miss Mary Backle. The second division will meet at the same place on Saturday morning at 10 o'clock.

## That Tree Blight.

By the Australia Mr. A. Jaeger received a letter from Dr. H. W. Harkness President of the Cal. Academy of Sciences, respecting the tree blight now found in Honolulu. The letter says, "The contents of the box to hand prove to be a living specimen of Icerya Purchase, sometimes called the Cottony Cushion scale. It is one of the most dreaded pests with which the horticulturalist has to deal. It was brought to this State from Australia and has already spread over a large area of territory, and has utterly ruined a very great number of fruit and shade trees. For a time it seemed that our orchards were doomed; lately however we have been importing from Australia a parasite which feeds upon them in which will eventually—as we hope—exterminate them. The parasite referred to is the wedalia cardinalis and they seem to be doing good work, and I would advise you to send to Australia or to California for the wedalia, as I fear that the pest you have will spread over the islands with great rapidity. Should you decide to send to this State for wedalia I would advise you to communicate with Mr. D. E. Coquillett of Los Angeles who I feel sure would furnish them to you with but little expense."

## R. M. S. Zealandia.

The Royal Mail Steamship Zealandia, Capt. K. van Oterendorp, arrived on Saturday afternoon at 1 o'clock from the Colonies. Sailed from Sydney April 16th at 4:30 p. m. and arrived at Auckland the 21st at 12:53 p. m., after experiencing strong south east winds with heavy sea. Left Auckland the same day at 4:28 p. m.; the first two days had light variable winds and plenty of rain. Touched off Tutuila the 25th at 10 p. m. From the 24th to May 1st experienced light easterly winds and fine weather, thence to Honolulu strong east wind and quantities of rain.

The Zealandia brought 4 cabin passengers and 102 tons cargo for Honolulu and had in transit for San Francisco, 100 cabin and 93 steerage passengers, and 750 tons of cargo. After taking on passengers and domestic produce, the Zealandia sailed for San Francisco Saturday evening about 7:30 o'clock.

## Honolulu and Tahiti.

The New Zealand Herald of late date has the following: "From Tahitian files to hand, per S. S. Richmond, we learn that Messrs. J. D. Spreckels and Brothers, of San Francisco, have made a tender to the French Government for a monthly steamship service between Honolulu and Papeete, in connection with their regular service between San Francisco and Honolulu, for a subsidy of \$36,000 per annum. The tenderers state that the vessels employed in the proposed service would be about 800 tons, and a reasonable security for the faithful carrying out of the contract deposited, though it would not be possible to start the service for a period of at least six months."

## May-day Social.

There was not a large attendance at the May-day social given by the Y. W. C. T. U., Thursday in the Y. M. C. A. hall, but it passed off very pleasantly. The following programme was given: Piano solo, Miss Widdifield; vocal solo, Gertie Whitney; piano solo, Mary Weir; vocal duet, Misses Helen and Hattie McGuire; piano duet, Misses Ellen Hopper and Lottie Parmelee. All the numbers were well rendered. Refreshments were served consisting of lemonade and ginger snaps.

## SAMOAN NEWS.

The U. S. S. Mohican had not arrived at Apia, April 25th.

Nine bags of mail were at the U. S. Consulate awaiting the arrival of the Iroquois.

A quarrel between Samoans at Matautu, Savaii, ended in two men losing their lives.

Mr. Thomas B. Cusack-Smith has been appointed H. B. M. S. Consul for the Navigators Islands.

There are quite a number of applicants for the few temporary offices in the bestowal of the three consuls for the preliminary work of the new government.

A Samoan named Molia, who has figured in the Police Court frequently for years, and whose thieving propensities have been incurable, was found guilty, April 8th, of stealing, and sentenced to receive twenty-five lashes. The prisoner cried out in agony at each blow of the whip.

King Malietoa signed the new treaty at 11 a. m., April 16th, in the presence of the representatives of the United States, England and Germany. On the 19th a number of chiefs called on the King and congratulated him warmly on again being firmly established on the throne of Samoa.

Intelligence has reached Apia from Tahiti via Sydney that the Council-General of Papeete has approved of and will subsidize a regular line of mail steamers between Tahiti, the Samoan Islands, New Caledonia and Auckland, connecting at the latter port with the service to San Francisco, thus binding together the French establishments in Oceania. The project had previously received the support of the Council-General of New Caledonia and the Chamber of Commerce in Noumea.

## Harry Agnew's Latest Purchases.

Mr. Harry J. Agnew has bought a ranch in Santa Clara Valley for \$30,000, and is stocking it with some of the finest stock in the county. It will be known as "The Agnew Stock Farm." The Petaluma Daily Imprint of April 10th, has the following: "Dawn, the great son of Nutwood, is going to leave us; the pride of Petaluma has been sold to Harry Agnew for the snug sum of \$15,000, and the handsome stallion is worth every cent of it. Mr. Agnew will be remembered as the gentleman who purchased the bay mare Emma Temple from Thomas Rochford fair week for \$3,000. He has recently become possessor of a large tract of land in the southern part of the State and it is his intention to stock the same and raise fast horses. A better horse than Dawn never looked through a bridle, and had he been properly handled in days gone by, he would have had a much lower mark than 2-18½."

## Ticket of Leave Man.

The boisterous weather had probably something to do with the attendance at the Opera House on Saturday evening, when the above named play was presented by the Bijou Comedy and Dramatic Co. Both boxes, however, as well as the main part of the house, was filled. Each performer helped to make the play a great success, which by the way, is one of the strongest yet produced by this deserving company of ladies and gentlemen. There were several local hits exploded during the evening, and to "cap the climax" a tombstone in the graveyard scene in the last act, read as follows: "Here lies Jack Thrum, Music and Drama, S. F., scalped by his (?) friends."

For Wednesday evening, Fanehon the Cricket is in preparation. Seats secured in advance at L. J. Levey's. The matinee performance Saturday afternoon of Uncle Tom's Cabin, was largely attended and very enjoyable to those present.

## The Irmgard Way Ahead.

The barkentine Irmgard, Captain Paul, left Honolulu March 26th and arrived at San Francisco April 9th, 13½ days. Bark Ferris S. Thompson, Captain Gatter, left Honolulu March 26th and arrived at San Francisco April 21st, 26 days. Brig W. G. Irwin, Captain McCulloch, left Honolulu March 27th and arrived at San Francisco April 18th, 22 days. Barkentine Mary Winkelman, Capt. Dryeborg, left Honolulu March 27th and arrived at San Francisco April 19th, 23 days.

It will be seen that the four vessels left Honolulu within twenty-four hours of each other, but there was quite a difference in the time of their arrival at San Francisco.

## Installation of Officers.

At a regular meeting of Nuanuu Chapter of Rose Croix No. 1 A. and A. S. R., held on Thursday evening, the following officers were duly installed for the ensuing year by Past-Wise Master David Dayton: Wise Master, Gideon West; Senior-Warden, Benjamin H. Norton; Junior-Warden, Henry H. Williams; Orator, Allan B. Scrimgeour; Almoner, John M. Angus; Secretary, Thos. E. Wall; Treasurer, P. O. Puffer; Master of Ceremonies, S. F. Honsby; Expert, J. A. Spear; Assistant-Expert, J. T. Downey; Standard Bearer, David Dayton; Guardian of Temple, A. Brown; Tyler, B. Whitney.

## Supreme Court of the Hawaiian Islands, April Term, 1890, in Banco.

BEFORE JUDD, C. J., McCULLY AND BICKERTON, J. J., DOLE, J., ABSENT.

LEE ABLO VS. ABLO.

Exceptions to findings of Judd, C. J.

The findings of fact of a justice trying a case with jury waived will only be set aside when the verdict of a jury would be set aside.

OPINION OF THE COURT PER McCULLY, J.

This was an action of ejectment, the jury waived, and tried by the Chief Justice, who found for the plaintiff for one undivided half of the land claimed and \$50 damages.

The defendant, in a bill of exceptions, claims (1) that the decision does not accord with the testimony, and (2) that the Court erred in finding that one Napahi was related to Kekuelilihi, the patentee of the premises.

We regard the first point as too vague to be considered. In respect to the second point, the testimony given in support of the relationship would have justified a jury in the same finding which the Court made, and upon well-settled principles such a verdict would not be set aside, and the finding of the justice will not be set aside.

Exceptions overruled.  
A. F. JUDD,  
L. McCULLY,  
RICH. F. BICKERTON.  
W. R. Castle for plaintiff; S. K. Kane for defendant.  
Honolulu, May 1, 1890.

## Supreme Court of the Hawaiian Islands, April Term, 1890, in Banco.

BEFORE JUDD, C. J., McCULLY AND BICKERTON, J. J., DOLE, J., ABSENT.

J. KAMAI VS. A. G. TRASK.

A conveyed land to B. in 1869 by metes and bounds, describing one side of the lot as bounded by a narrow lane. The same day A. conveyed by metes and bounds to C. another lot on the other side of the lane, describing it as bounded by the lane. A still owned land in the rear and had access to the street through this lane. In 1877, A. sold the remainder of his land (what had not been conveyed to B. or C.) including the lane, to the grantee of C. C. closed up the lane in 1888.

Held, that the grant of the lot by A. to B. describing it as bounded by the lane, A. owning the lane, estopped A. and his grantees from denying the existence of the lane.

The award of the Commission of private ways ordering the defendant C. to re-open the lane, affirmed.

OPINION OF THE COURT, PER JUDD, C. J.  
This case comes to us by defendant's appeal from the Commissioners of private ways, etc., for the district of Honolulu.

It seems that on 6th August, 1869, one Keawekalohe, who owned a piece of land at Kakaako, Honolulu, (described in Land Commission Award No. 3455), sold a portion of it to one Kailua and on the same day sold another portion of it to one James Wright. A lane was left between these two lots and each lot was described in the deeds of conveyance as bounded by this lane. Keawekalohe still owned the rear portion of the land, from which the lots sold to Kailua and Trask were taken, and had access to the street through the lane.

The plaintiff, J. Kama, is the owner, by title not disputed, of the lot conveyed to Kailua. In 1877 Keawekalohe sold to defendant, Trask, all of his land described in Land Commission Award No. 3455 which had not been conveyed to Kailua or Wright. His conveyance carried the fee in the lane to Trask. In 1883, James Wright conveyed the lot he had bought of Keawekalohe to defendant, Trask, and his wife. The lane continued open and in use by all these parties until 1888 when it was closed by defendant by his building a cottage upon it.

The Commissioners of private ways were applied to to order defendant to re-open the lane and after hearing the evidence they ordered the lane opened by defendant.

## BY THE COURT.

The Commissioners were right. The general doctrine is that "a grantor of land describing the same by a boundary on a street or way, if he be the owner of such adjacent land, is estopped from setting up any claim, or doing any acts inconsistent with the grantee's use of the street or way; and such estoppel would also apply to his heirs, or those claiming under him." Howe vs. Alger, 4 Allen 211.

This doctrine is not extended to a grantor merely intending by the description to fix the boundaries, he not having any interest in the soil of the street. Id.

We have no hesitation in adopting this doctrine.

In Pennsylvania it is held that when a grantor sold and conveyed lots bounding them on an alley he not only conveyed the use of the alley as appurtenant to the lots bounded thereon, but thereby dedicated it to public use. Transue vs. Sell, 105 Pa. 609.

Chief Justice Cooley in Smith vs. Lock, 13 Mich. 59, says: "The purchase of the lot described as bounded on a street, estops the grantor from shutting it up so as to prevent his grantee making use of it for his own accommodation in the enjoyment of his purchase. It is a matter of private right, and in no way depends upon the question whether the public have acquired a right of way or not." See Parker vs. Smith 17, Mass. 413.

upon the question whether the public have acquired a right of way or not." See Parker vs. Smith 17, Mass. 413.

Appeal dismissed.

A. F. JUDD,  
L. McCULLY,  
RICH. F. BICKERTON.

W. O. Smith for plaintiff; W. C. Achi for defendant.  
Honolulu, May 1, 1890.

## Auction Sales.

BY JAS. F. MORGAN.

## CREDIT AUCTION SALE

HYMAN BROTHERS, 58 Queen Street, Honolulu, will hold a Large Credit Sale,

ON MAY 13th, 14th and 15th

At the Auction Room of J. F. MORGAN, when they will offer their entire Assortment of

Dry Goods, Clothing

Ladies' and Men's

UNDERWEAR!

Men's, Ladies' and Children's

BOOTS and SHOES!

Small Ware and Fancy Goods

On a Liberal Credit to the Trade.

HYMAN BROTHERS.

Auction Sale of

Unclaimed Packages!

BY ORDER OF THE COLLECTOR-General of Customs, I will sell at Public Auction, at my salesroom, Queen street, on THURSDAY, May 15th, at 12 o'clock noon, the following packages of mado, unclaimed in the Custom House.

Mark.  
L & C Hon. 1 Bdl Wired Laths  
Wilder & Co " 2 Kags Paint  
Mrs Burgess " 1 Package  
Student " 1 Case Mado  
N H Grenhalgh " 1 Package  
W H G in diamond " 1 Package  
3 Hughes Pakia " 1 Case Mado  
G W D Hon. 2 Brass Nuts  
W D Westerfelt " 1 Package  
Marshall Soper " 1 Case Mado  
N Sachs " 1 Pkg Samples  
A Carter Kohala 1 Pkg Samples  
Frank Godfrey Hon. 1 Pkg Adv matter  
Capt Nielsen " 1 Case Mado  
Miss K-trmer " 1 Package  
L B Kerr " 1 Package  
H B Macfarlane " 1 Package  
W D Westerfelt " 1 Package  
B B " 3 Cases Mado  
Diamond L under- 53 Pags Paper  
south " 1 Case Mado  
W C U in diamond " 1 Leather Trunks Sample  
Mak-rpice " 30 Carpa  
F T " 20 Chests Tea  
21 Bottles Sambooh  
2 Cases Preserved  
2 Cases Preserved  
Eggs  
1 Case Soda Crackers

J. F. Morgan, Auctioneer.

1319-41

BY L. J. LEVEY.

Mortgagee's

NOTICE OF SALE!

WHEREAS THE MORTGAGE

hereinafter mentioned has been heretofore duly foreclosed by advertisement of mortgagee's notice of foreclosure, now therefore by order of Stephen Spencer, mortgagee of a certain indenture of mortgage from Mary Crowell to him dated January 30th, 1888, of record in the office of the Registrar of Conveyances in Book 76 on pages 76 and 77, I am directed to sell at Public Auction

On Wednesday, May 14,

AT 12 O'CLOCK NOON.

At my salesroom Queen Street, in Honolulu, the property included in said mortgage as follows:

ALL THAT

Certain Piece or Parcel of Land

Situate in said Waikuku, on the makai side of the road leading to Waikuku and opposite the native church and bounded and described as follows:

Beginning at A. of Lot 1, and running N 14° W. 1.35 chains along road to Waikuku, N 73° E. 2.50 chains along road to Haverest, S 23° E. 1.35 chains along road to Waikuku Plantation, S 72° W. 2.34 chains along Lot No. 1, to beginning and containing an area of 35-100 of an acre, save and reserving twelve feet on south side sold to H. L. Landford, and being the same premises that were conveyed to the said mortgagee by Abner B. Crowell by deed dated the 10th of January, 1885, and recorded in Liber 93, folios 75 and 76.

Terms Cash and Deeds at Purchaser's expense.

For further particulars apply to

L. J. Levey, Auctioneer.

Or to W. Austin Whiting, Attorney for mortgagee.

Honolulu, April 18th, 1890. 1319-4d